

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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THIRTY-FOURTH DAY

Bismarck, February 20, 1987

The Senate convened at 8:00 a.m., with President Pro Tem Redlin presiding.

The prayer was offered by Reverend Dan Wissmann, Good Shepherd Lutheran Church, Bismarck.

Heavenly Father, as we go about our business today of appropriating funds, help us to be mindful of our power to give and take, to create and destroy; not only among the various branches of government but also among our constituents.

Help us to be aware of the total picture of life and of the government. We are a body. When one hurts then all hurt and one rejoices then all rejoice. We are all interrelated, and we are a whole going about to seek what is best for our communities, our state, and our people.

And lest we get carried away with our power, keep us ever mindful of our dependence upon You as our creator, redeemer, and sustainer. Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Maxson, W. Meyer, and Tennefos.

A quorum was declared by the President Pro Tem.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Thirty-third Day and finds the same to be correct.

SEN. J. MEYER, Chairman

SEN. NALEWAJA MOVED that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1597, HB 1598, HB 1600, HB 1615, HB 1622, HB 1636,
HB 1637, HB 1644

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILL

SB 2024: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the commissioner of insurance of the state of North Dakota; to create and enact three new sections to chapter 26.1-01 and a new subsection to section 26.1-01-07 of the North Dakota Century Code, relating to the establishment of an insurance regulatory trust fund; to amend and reenact subsections 2 and 11 of section 26.1-01-07 and section 26.1-03-20 of the North Dakota Century Code, relating to fees charged by the commissioner of insurance; to provide for transfers from the unsatisfied judgment and state bonding funds; and to provide an effective date.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 44 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Nelson; Streibel

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos; Wright

SB 2024 passed and the title was agreed to.

MOTION

SEN. J. MEYER MOVED that SB 2418 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2483: A BILL for an Act to create and enact a new chapter to title 51 of the North Dakota Century Code, relating to pyramid promotional schemes and referral sales schemes; to repeal chapter 51-16 of the North Dakota Century Code, relating to multilevel distributorships and chain sales schemes; and to provide a penalty.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2483 passed and the title was agreed to.

SB 2509: A BILL for an Act to create and enact three new sections to chapter 15-34.1 of the North Dakota Century Code, relating to requirements of religious elementary and secondary schools, the definition of equivalent instruction in religious schools, and requiring parents to certify that their children are attending religious schools meeting certain requirements; and to amend and reenact section 15-34.1-03 of the North Dakota Century Code, relating to a religious school exception to the compulsory school attendance statute.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 13 YEAS, 37 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Bakewell; David; Freborg; Lashkowitz; Meyer, D.; Mutch; Naaden; Nelson; Reiten; Streibel; Todd; Tweten; Vosper

NAYS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lips; Lodoen; Maixner; Mathern; Meyer, J.; Moore; Mushik; Nalewaja; Nething; Olson; Peterson; Redlin; Richard; Satrom; Schoenwald; Shea;

Stenehjem; Stromme; Tallackson; Thane; Waldera;
Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2509 lost.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HCR 3047, HCR 3048, HCR 3049, HCR 3051, HCR 3053, HCR 3056,
HCR 3057, HCR 3058, HCR 3059, HCR 3060, HCR 3062, HCR 3063
ROY GILBREATH, Chief Clerk

MOTION

SEN. HEIGAARD MOVED that SB 2514 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2515: A BILL for an Act to create and enact two new sections to chapter 10-24 of the North Dakota Century Code, relating to competitive bidding requirements for nonprofit corporations.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 15 YEAS, 35 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Heigaard; Heinrich; Hilken; Kelsh; Lashkowitz;
Maixner; Mathern; Meyer, J.; Redlin; Richard;
Schoenwald; Shea; Waldera; Wogsland; Yockim

NAYS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg;
Holmberg; Ingstad; Keller; Kelly; Krauter; Langley;
Lips; Lodoen; Meyer, D.; Moore; Mushik; Mutch; Naaden;
Nalewaja; Nelson; Nething; Olson; Peterson; Reiten;
Satrom; Stenehjem; Streibel; Stromme; Tallackson;
Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2515 lost.

SB 2521: A BILL for an Act to amend and reenact section 51-15-02 of the North Dakota Century Code, if Senate Bill No. 2483 is not approved by the fiftieth legislative assembly, relating to the unlawful consumer fraud practice of operating an unlawful referral selling or pyramid scheme.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2521 passed and the title was agreed to.

SB 2526: A BILL for an Act to create and enact a new section to chapter 23-24 and a new subsection to section 23-24-01 of the North Dakota Century Code, relating to withdrawing from a vector control district and the definition of potential or emergency health hazards; and to amend and reenact subsection 4 of section 23-24-01, sections 23-24-03, 23-24-04, and 23-24-05, and subsection 1 of section 23-24-08 of the North Dakota Century Code, relating to the definition of public health vectors, orders modifying the boundaries of vector control districts, the expansion of vector control districts, boards of commissioners of vector control districts, and mill levies.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips;

Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2526 passed and the title was agreed to.

SB 2542: A BILL for an Act to amend and reenact section 39-01-15 of the North Dakota Century Code, relating to parking privileges for mobility impaired persons; and to provide for transition.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Lodoen

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2542 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4043: A concurrent resolution designating U.S. Highway 2 as the Centennial Highway.

Which has been read and has committee recommendation of DO PASS.

The question being on the final adoption of the resolution, as amended.

SCR 4043 was declared adopted and the title was agreed to on a voice vote.

SECOND READING OF SENATE BILLS

SB 2021: A BILL for an Act to provide an appropriation for the distribution of funds for the replacement of personal property tax revenue; to amend and reenact section 57-58-01 of the North Dakota Century Code as it will exist on July 1, 1987, pursuant to section 5 of chapter 45 of the 1985 Session Laws, relating to distribution of personal property tax replacement revenues to counties and local subdivisions.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Richard

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2021 passed and the title was agreed to.

SB 2022: A BILL for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Schoenwald; Shea;

Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd;
Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Richard

ABSENT AND NOT VOTING: Kelsh; Maxson; Meyer, W.;
Tennefos

SB 2022 passed and the title was agreed to.

MESSAGE FROM THE HOUSE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HCR 3020, HCR 3021, HCR 3022, HCR 3023, HCR 3027, HCR 3028,
HCR 3031, HCR 3032, HCR 3035, HCR 3045, HCR 3046

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILL

SB 2320: A BILL for an Act to amend and reenact sections 54-03-02 and 54-03-02.1 of the North Dakota Century Code, relating to reconvened regular sessions of the legislative assembly in even-numbered years for budget adjustment purposes.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 22 YEAS, 27 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Heigaard; Heinrich; Hilken; Keller; Kelsh;
Krauter; Langley; Maixner; Mathern; Meyer, J.; Mushik;
Redlin; Richard; Satrom; Schoenwald; Shea; Stromme;
Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad;
Kelly; Lashkowitz; Lips; Lodoen; Meyer, D.; Moore;
Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson;
Peterson; Reiten; Stenehjem; Streibel; Thane; Todd;
Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Dotzenrod; Maxson; Meyer, W.;
Tennefos

SB 2320 lost.

REQUEST

SEN. DOTZENROD REQUESTED that the record show that he depressed the voting key too late, and he intended to vote "nay" on SB 2320, which request was granted.

MOTION

SEN. SATROM MOVED that SB 2388 moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2003: A BILL for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota; and to amend and reenact section 15-19-04 of the North Dakota Century Code, relating to oversight of the high school correspondence program.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 37 YEAS, 13 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Tweten; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Lodoen; Mutch; Naaden; Nelson; Nothing; Streibel; Todd; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2003 passed and the title was agreed to.

SB 2010: A BILL for an Act making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota and providing for a transfer from the state highway fund.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 29 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Hilken; Kelly; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2010 passed and the title was agreed to.

SB 2166: A BILL for an Act to amend and reenact section 23-16-03 of the North Dakota Century Code, relating to fees for licensure of hospitals.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 28 YEAS, 22 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Nelson; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Kelly; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nething; Olson; Peterson; Reiten; Stenehjem; Streibel; Tallackson; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2166 passed and the title was agreed to.

MESSAGE FROM THE HOUSE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1012, HB 1017, HB 1018, HB 1028, HB 1077, HB 1118,
HB 1233, HB 1241, HB 1332, HB 1360, HB 1491, HB 1494,
HB 1526, HB 1533, HB 1559, HB 1571

ROY GILBREATH, Chief Clerk

MOTIONS

SEN. NELSON MOVED that SB 2283 be further amended as follows:

On page 1 of the engrossed bill, line 7, delete the words "out of any moneys in the general fund in the state"

On page 1 of the engrossed bill, line 8, delete the words "treasury, not otherwise appropriated,"

On page 1 of the engrossed bill, line 18, delete the words "all funds" and insert in lieu thereof the words "special funds appropriation"

On page 1 of the engrossed bill, delete lines 19 and 20

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Supreme Court

The entire \$100,000 for the expenses of the constitutional celebration committee is to be funded from special funds.

SEN. NELSON MOVED that the proposed amendments be adopted, which motion lost on a verification vote.

SECOND READING OF SENATE BILL

SB 2283: A BILL for an Act making an appropriation to pay for the expenses of the constitutional celebration committee.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 28 YEAS, 22 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Lashkowitz; Lips; Maixner; Mathern; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Kelly; Langley; Loden; Meyer, D.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Streibel; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2283 passed and the title was agreed to.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1010, HB 1011, HB 1013, HB 1015, HB 1016, HB 1019,
HB 1021, HB 1342, HB 1349, HB 1350, HB 1356, HB 1509

ROY GILBREATH, Chief Clerk

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 10:05 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

SECOND READING OF SENATE BILL

SB 2470: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to seminars conducted by the attorney general's office for farmers home administration county committee members and other interested persons.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 26 YEAS, 24 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Kelly; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjelm; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2470 lost for want of a Constitutional majority.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1007, HB 1009, HB 1078, HB 1079, HB 1085, HB 1151,
HB 1192, HB 1272, HB 1304

ROY GILBREATH, Chief Clerk

MOTION

SEN. WALDERA MOVED that the Senate reconsider its action whereby SB 2392 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2392: A BILL for an Act to provide for negotiation and arbitration rights and procedures for public employees; to repeal chapters 15-38.1 and 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and public employees and to teachers' representation and negotiation; and to provide a penalty.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 27 YEAS, 23 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Lashkowitz; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Kelly; Langley; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2392 passed and the title was agreed to.

MOTION

SEN. MAIXNER MOVED that the action taken by the Senate on SB 2392 be reconsidered, and that the motion to reconsider be laid on the table, which motion failed.

SECOND READING OF SENATE BILLS

SB 2471: A BILL for an Act to establish a child welfare research bureau at the university of North Dakota.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 33 YEAS, 17 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Nalewaja; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Hilken; Kelly; Lodoen; Moore; Mutch; Naaden; Nelson; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2471 passed and the title was agreed to.

SB 2512: A BILL for an Act to amend and reenact section 15-40.1-16 of the North Dakota Century Code, relating to the maximum state transportation aid payments that may be made to schools; and to provide for the distribution of excess funds.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 29 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Heinrich; Holmberg; Ingstad; Lashkowitz; Lips; Lodoen; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nething; Olson; Peterson; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Thane; Todd; Tweten; Waldera; Wright; Yockim

NAYS: Axtman; Dotzenrod; Freborg; Heigaard; Hilken; Keller; Kelly; Kelsh; Krauter; Langley; Maixner; Meyer, D.; Meyer, J.; Moore; Nelson; Redlin; Richard; Schoenwald; Tallackson; Vosper; Wogsland

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2512 passed and the title was agreed to.

SB 2536: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to the apportionment of reductions in spending authority resulting from an initiative or referendum; and to declare an emergency.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 28 YEAS, 22 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Lodoen; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjem; Streibel; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2536 passed, the title was agreed to, but the emergency clause lost.

MESSAGE FROM THE HOUSE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1450, HB 1549

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4009: A concurrent resolution directing the Governor, the Chief Justice of the Supreme Court, the State Board of Higher Education, and appropriate officials of the legislative branch to take necessary action to reduce expenditures for the remainder of the current biennium.

Which has been read and has committee recommendation of DO NOT PASS.

The question being on the final adoption of the resolution.

SCR 4009 was declared lost on a voice vote.

MOTION

SEN. MAIXNER MOVED that SB 2418 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2514: A BILL for an Act to create and enact a new subsection to section 58-06-01 of the North Dakota Century Code, relating to township budgets; and to amend and reenact subsection 9 of section 58-06-01 and sections 58-08-05 and 58-11-03 of the North Dakota Century Code, relating to township budgets, annual statements by township treasurers, and the duties of boards of auditors of townships.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2514 passed and the title was agreed to.

SB 2388: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an individual income tax deduction for child and dependent care expenses; and to provide an effective date.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 41 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Ingstad; Meyer, J.; Mushik; Mutch; Nalewaja;
Schoenwald; Shea; Waldera; Yockim

NAYS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg;
Heigaard; Heinrich; Hilken; Holmberg; Keller; Kelly;
Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen;
Maixner; Mathern; Meyer, D.; Moore; Naaden; Nelson;
Nothing; Olson; Peterson; Redlin; Reiten; Richard;
Satrom; Stenehjem; Streibel; Stromme; Tallackson;
Thane; Todd; Tweten; Vosper; Wogsland; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2388 lost.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2017 as recommended by the Committee on Appropriations as printed on pages 926-927 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act making an appropriation for defraying the expenses of the weather modification board of the state of North Dakota.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 35 YEAS, 14 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken;
Holmberg; Ingstad; Keller; Kelsh; Langley; Lashkowitz;
Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik;
Mutch; Nalewaja; Redlin; Reiten; Richard; Satrom;
Schoenwald; Shea; Stenehjem; Streibel; Stromme;
Tallackson; Thane; Tweten; Waldera; Wogsland; Wright;
Yockim

NAYS: Adams; Bakewell; David; Freborg; Kelly; Lodoen;
Moore; Naaden; Nelson; Nothing; Olson; Peterson; Todd;
Vosper

ABSENT AND NOT VOTING: Krauter; Maxson; Meyer, W.;
Tennefos

SB 2017 passed and the title was agreed to.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1545, HB 1554, HB 1563, HB 1572, HB 1582, HB 1593

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2018 as recommended by the Committee on Appropriations as printed on pages 927-928 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2018: A BILL for an Act making an appropriation for defraying expenses of various commissions, departments, and divisions of the state of North Dakota.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 36 YEAS, 12 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Tweten; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Lodoen; Mutch; Naaden; Nelson; Nothing; Streibel; Todd; Vosper; Wright

ABSENT AND NOT VOTING: Freborg; Maxson; Meyer, W.; Moore; Tennesos

SB 2018 passed and the title was agreed to.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1319, HB 1338, HB 1346, HB 1379, HB 1389, HB 1421,
HB 1424, HB 1454, HB 1465, HB 1468, HB 1530, HB 1534,
HB 1538

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1001, HB 1002, HB 1004, HB 1006, HB 1014, HB 1243,
HB 1305, HB 1366, HB 1433, HB 1505, HB 1565, HB 1623,
HB 1631

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2029 as recommended by the Committee on Appropriations as printed on pages 928-930 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act making an appropriation for defraying the expenses of the various divisions of the state water commission of the state of North Dakota; and providing for an appropriation and transfer of funds from the resources trust fund, bond guarantee fund, the water use fund, and the lands and minerals trust fund.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Langley

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennesos

SB 2029 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 12.30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

MESSAGE TO THE HOUSE
SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2006, SB 2007, SB 2008, SB 2009, SB 2011, SB 2012,
SB 2013, SB 2014, SB 2020, SB 2025, SB 2026, SB 2028,
SB 2035, SB 2059, SB 2184, SB 2185, SB 2259, SB 2269,
SB 2279, SB 2314, SB 2330, SB 2366, SB 2367, SB 2380,
SB 2440, SB 2451, SB 2497, SB 2503, SB 2507, SB 2532,
SB 2543, SCR 4020, SCR 4035, SCR 4036, SCR 4042, SCR 4045,
SCR 4046, SCR 4048

PERRY GROTEBERG, Secretary

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2030 as recommended by the Committee on Appropriations as printed on page 930 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act making an appropriation for defraying the expenses of the economic development commission of the state of North Dakota; and providing for a transfer from the state highway fund.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 33 YEAS, 17 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Nalewaja; Nething; Olson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Hilken; Kelly; Lodoen; Moore; Mutch; Naaden; Nelson; Peterson; Stenehjelm; Streibel; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2030 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. SATROM MOVED that the amendments to SB 2078 as recommended by the Committee on Finance and Taxation as printed on page 931 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2078: A BILL for an Act to amend and reenact section 57-51.1-03 of the North Dakota Century Code, relating to removal of the royalty owners' exemption from the oil extraction tax.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 35 YEAS, 15 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Dotzenrod; Heigaard; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Langley; Lashkowitz; Lips; Lodoen; Mathern; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Shea; Stenehjem; Streibel; Tallackson; Thane; Todd; Tweten; Vosper; Wogsland; Yockim

NAYS: Axtman; David; Freborg; Heinrich; Krauter; Maixner; Meyer, D.; Meyer, J.; Redlin; Richard; Satrom; Schoenwald; Stromme; Waldera; Wright

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2078 lost for lack of two-thirds majority.

MOTION

SEN. MAIXNER MOVED that SB 2079 be moved to the head of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. SATROM MOVED that the amendments to SB 2079 as recommended by the Committee on Finance and Taxation as printed on pages 994-997 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2079: A BILL for an Act to create and enact a new section to chapter 57-51.1 of the North Dakota Century Code, relating to the establishment of an oil extraction trust fund and provision of grants or loans through the Bank of North Dakota; to amend and reenact sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to the definition of "average price," the rate of the oil extraction tax, and exemption from the oil extraction tax until the costs of drilling are recovered; and to declare an emergency.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, W.; Tennefos

SB 2079 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF AMENDMENTS

SEN. J. MEYER MOVED that the amendments to SB 2244 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 931-932 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2244: A BILL for an Act to amend and reenact sections 50-25.1-02, 50-25.1-03, 50-25.1-03.1, 50-25.1-04, 50-25.1-04.1, 50-25.1-05, 50-25.1-05.1, 50-25.1-05.2, 50-25.1-05.3, 50-25.1-06, 50-25.1-07, and 50-25.1-11 of the North Dakota Century Code, relating to child abuse and neglect.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Nelson; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David; Keller; Mutch; Naaden; Nothing

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2244 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. J. MEYER MOVED that the amendments to SB 2246 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 932-933 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2246: A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 of the North Dakota Century Code, relating to the state matching program for senior citizen programs and activities.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Stenehjøm

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2246 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that the amendments to SB 2302 as recommended by the Committee on Judiciary as printed on pages 933-936 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2302: A BILL for an Act to amend and reenact sections 11-17-01, 28-20-11, 28-21-05, 28-21-06, 29-26-22, 29-26-22.1, and 29-27-02 of the North Dakota Century Code, relating to clerk of court recordkeeping requirements, issuance and contents of an execution to enforce a judgment, assessing costs of prosecution, and docketing and enforcement of a judgment for a fine or costs in a criminal case.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2302 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that the amendments to SB 2449 as recommended by the Committee on Judiciary as printed on pages 883-888 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2449: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12.1-06.1-01 of the North Dakota Century Code, relating to the definition of a pattern of racketeering activity; and to amend and reenact subsections 1 and 2 of section 12.1-06.1-03, section 12.1-06.1-04, subsections 1, 2, 4, and 5 of section 12.1-06.1-05, subsection 1 of section 12.1-06.1-06, and subsections 1 and 2 of section 12.1-06.1-07 of the North Dakota Century Code, relating to racketeer-influenced and corrupt organizations.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Maxson

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2449 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. J. MEYER MOVED that the amendments to SB 2460 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 888-889 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion failed.

SECOND READING OF SENATE BILL

SB 2460: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to contracts by the department of human services with nonprofit corporations for recreational, social, or educational services to developmentally disabled individuals; and to provide an appropriation.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 21 YEAS, 28 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Keller; Kelsh; Krauter; Lashkowitz; Maixner; Mathern; Maxson; Mushik; Nalewaja; Peterson; Redlin; Richard; Schoenwald; Shea; Tallackson; Tweten; Waldera; Wogsland; Yockim

NAYS: Adams; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Langley; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Reiten; Satrom; Stenehjelm; Streibel; Stromme; Thane; Todd; Vosper; Wright

ABSENT AND NOT VOTING: Bakewell; David; Meyer, W.; Tennefos

SB 2460 lost.

CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that the amendments to SB 2468 as recommended by the Committee on Judiciary as printed on pages 889-891 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTIONS

SEN. HOLMBERG MOVED that SB 2468 be further amended as follows:

In addition to the amendments to Senate Bill No. 2468 recommended by the Committee on Judiciary as found on pages 889, 890, and 891 of the Senate Journal, Senate Bill No. 2468 is amended as follows:

On page 14, line 10, remove the overstrike over the word "Any" and delete the remainder of the line

On page 14, line 15, remove the overstrike over the second comma and delete the remainder of the line

On page 14, line 16, delete the words "must be taken" and delete the words "on the other party and"

And renumber the lines, sections, and pages accordingly

SEN. HOLMBERG MOVED that the proposed amendments be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2468: A BILL for an Act to create and enact a new section to chapter 39-20 of the North Dakota Century Code, relating to death or serious bodily injury caused by a driver under the

influence of intoxicating liquor or a controlled substance; and to amend and reenact sections 39-06-31, 39-06.1-05, subdivision a of subsection 3.1 of section 39-06.1-10, sections 39-07-08, 39-07-11, 39-08-01, 39-08-01.2, 39-20-01, subsection 3 of section 39-20-03.1, subsection 3 of section 39-20-03.2, sections 39-20-04, 39-20-06, 39-20-07, 54-38-05, and 65-01-11 of the North Dakota Century Code, relating to law enforcement, judicial, and administrative procedures, sanctions, penalties for driving or being in actual physical control of a motor vehicle while under the influence of alcohol or a controlled substance, and burden of proof in compensation matters; to repeal section 39-06-33.1 of the North Dakota Century Code, relating to the suspension of a driver's license for causing injury or death; and to provide a penalty.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Meyer, W.; Tennesfos

SB 2468 passed and the title was agreed to.

MOTION

SEN. MAIXNER MOVED that SB 2472 be moved to the head of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that the amendments to SB 2472 as recommended by the Committee on Judiciary as printed on pages 1003-1006 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2472: A BILL for an Act to amend and reenact subsection 1 of section 39-20-03.1, subsections 1 and 2 of section 39-20-03.2, section 39-20-04, and subsection 1 of section 39-20-05 of the North Dakota Century Code, relating to temporary operator's permits and administrative hearings for alcohol-related traffic offenses.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Meyer, D.; Meyer, W.; Tennefos

SB 2472 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to SB 2480 as recommended by the Committee on Industry, Business and Labor as printed on page 891 of the Senate Journal be adopted, and when so adopted, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

MOTION

SEN. MAIXNER MOVED the previous question, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2480: A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to the sale of banks and bank holding companies owned by charitable trusts; and to declare an emergency.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 22 YEAS, 29 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Dotzenrod; Holmberg; Ingstad; Lashkowitz; Lips; Lodoen; Mutch; Naaden; Nalewaja; Nething; Olson; Peterson; Reiten; Stenehjem; Streibel; Tallackson; Thane; Todd; Tweten

NAYS: Axtman; Freborg; Heigaard; Heinrich; Hilken; Keller; Kelly; Kelsh; Krauter; Langley; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nelson; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Vosper; Waldera; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Meyer, W.; Tennesfos

SB 2480 lost.

MOTIONS

SEN. HEIGAARD MOVED that the Senate stand in recess until 3:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

SEN. MAIXNER MOVED that SB 2520 be moved to the foot of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that the amendments to SB 2522 as recommended by the Committee on Judiciary as printed on pages 892-893 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2522: A BILL for an Act to provide that all electors must be registered prior to being authorized to vote in any statewide special, primary, or general election, supervision of the registration process by the secretary of state with registration to be conducted by county auditors, and the method of registration; and to amend and reenact subsection 2 of section 16.1-01-01, section 16.1-05-02, subsection 3 of section 16.1-05-04, sections 16.1-05-06, 16.1-06-16, 16.1-06-21, 16.1-07-12, 16.1-11-31, 16.1-11-32, 16.1-15-02, 16.1-15-06, 16.1-15-08, and 16.1-15-11 of the North Dakota Century Code, relating to elector registers; and to provide a penalty.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 24 YEAS, 27 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Stenehjelm; Streibel; Thane; Todd; Tweten; Vosper; Wright

NAYS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2522 lost.

MESSAGE TO THE HOUSE
SENATE CHAMBER

MR. SPEAKER: I have the honor to respectfully return herewith the following which the President Pro Tem believes was mistakenly messaged to the Senate because it fails to meet the provisions of House Rule 333, which states "No measure enacted or approved by a vote of the electors shall be repealed or amended by the Legislative Assembly for seven years from the effective date of the measure, except by a two-thirds roll call vote of all members elected to each house." Since HB 1346 did not receive the necessary two-thirds vote in the House, it cannot be considered by the Senate:

HB 1346

PERRY GROTEBERG, Secretary

CONSIDERATION OF AMENDMENTS

SEN. J. MEYER MOVED that the amendments to SB 2535 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 937 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2535: A BILL for an Act to establish a health care data committee as a standing committee of the state health council for the collection, analysis, and public distribution of information regarding the costs and prices charged for health care services in North Dakota, to ensure that health care purchases by state agencies are made in a more cost effective manner, and to provide for the collection of fees; and to provide a penalty.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 35 YEAS, 16 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Stenehjem; Stromme; Tallackson; Thane; Tweten; Vosper; Waldera; Wogsland; Yockim

NAYS: Bakewell; David; Freborg; Hilken; Kelly; Lips; Lodoen; Mutch; Naaden; Nalewaja; Nelson; Nething; Shea; Streibel; Todd; Wright

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2535 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. J. MEYER MOVED that the amendments to SB 2537 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 937-939 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2537: A BILL for an Act to provide for the establishment of the department of protection and advocacy for persons with developmental disabilities and persons with mental illness, its duties and responsibilities; and to provide a penalty.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 34 YEAS, 17 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Peterson; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Wright; Yockim

NAYS: Adams; Bakewell; David; Freborg; Hilken; Kelly;
Mutch; Naaden; Nelson; Nething; Olson; Reiten;
Streibel; Thane; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2537 passed and the title was agreed to.

MOTIONS

SEN. HEIGAARD MOVED that SCR 4017, SCR 4026, HB 1056, and HB 1172 be moved to the foot of the calendar, which motion prevailed.

SEN. MAXSON MOVED that the Senate reconsider its action whereby SB 2078 failed to pass for want of a two-thirds majority, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2078: A BILL for an Act to amend and reenact section 57-51.1-03 of the North Dakota Century Code, relating to removal of the royalty owners' exemption from the oil extraction tax.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 40 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg;
Heigaard; Hilken; Holmberg; Ingstad; Keller; Kelly;
Kelsh; Langley; Lashkowitz; Lips; Lodoen; Mathern;
Maxson; Moore; Mushik; Mutch; Nalewaja; Nelson;
Nething; Olson; Peterson; Reiten; Schoenwald; Shea;
Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd;
Tweten; Vosper; Wogsland; Yockim

NAYS: Heinrich; Krauter; Maixner; Meyer, D.; Meyer, J.;
Naaden; Redlin; Richard; Satrom; Waldera; Wright

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2078 passed and the title was agreed to.

MOTION

SEN. MAXSON MOVED that the Senate reconsider its action whereby SB 2470 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2470: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to seminars conducted by the attorney general's office for farmers home administration county committee members and other interested persons.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 27 YEAS, 24 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Kelly; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjelm; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2470 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2002 as recommended by the Committee on Appropriations as printed on pages 980-982 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; providing for a transfer of funds from the displaced homemaker fund; and to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code as amended by Senate Bill No. 2904 as approved by the fiftieth legislative assembly, relating to the educational support per pupil.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2002 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2004 as recommended by the Committee on Appropriations as printed on pages 982-984 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; providing an exemption to the provisions of section 54-44.1-11 of the North Dakota Century Code; and to amend and reenact section 54-16-11.1 of the North Dakota Century Code, relating to the emergency commission authority to increase revenue appropriation authority for intergovernmental service fund agencies.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 39 YEAS, 11 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David; Freborg; Kelly; Mutch; Naaden; Nelson; Nething; Streibel; Todd; Vosper

ABSENT AND NOT VOTING: Langley; Meyer, W.; Tennefos

SB 2004 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2005 as recommended by the Committee on Appropriations as printed on pages 984-985 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the director of institutions of the state of North Dakota and providing for a transfer from the capitol building fund.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 39 YEAS, 12 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Wright; Yockim

NAYS: Adams; Bakewell; David; Lodoen; Mutch; Naaden; Nelson; Streibel; Thane; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2005 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2015 as recommended by the Committee on Appropriations as printed on pages 985-990 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

MOTIONS

SEN. HEIGAARD MOVED that SB 2015 be moved to the foot of the calendar, which motion prevailed.

SEN. HEIGAARD MOVED that SB 2099, SB 2165, and SB 2496 be moved to the head of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. SATROM MOVED that the amendments to SB 2099 as recommended by the Committee on Finance and Taxation as printed on pages 997-998 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2099: A BILL for an Act to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to the rate of the coal conversion facility privilege tax imposed on coal gasification plants; and to declare an emergency.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Meyer, W.; Tennefos

SB 2099 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF AMENDMENTS

SEN. SATROM MOVED that the amendments to SB 2165 as recommended by the Committee on Finance and Taxation as printed on pages 998-999 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion failed on a verification vote.

MOTION

SEN. HEIGAARD MOVED that SB 2165, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

SEN. SATROM: President Pro Tem Redlin: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President and members of the Senate: In line with tradition and, in following the senator to my left who has been chair of the Employment Committee, I want to explain the procedure for Monday and Tuesday with respect to Senate employees. Senate employees worked a week ago Monday during what was the national presidents' holiday and, of course, then are entitled to pay on this coming Monday. In line with the tradition of last session, they will also be paid for Tuesday. I hope that the rest of the Senate joins me in feeling that we have had an extraordinary staff so far in this session and we certainly expect them to continue their excellent work. I hope that all of the senators will let me know if employees are not performing in line with the expectations we collectively have for them, but they have been extraordinarily good and have kept us probably much more on schedule than we are entitled to be in the manner in which we conduct our own schedules. I hope you will join me in showing our appreciation and I wanted the Senate to know of the policy for this coming Monday and Tuesday.

MOTION

SEN. HEIGAARD MOVED that the rules be suspended, and that Joint Rule 203 be amended to read that Crossover Day be extended to the Thirty-fifth legislative day, which motion prevailed.

MESSAGES FROM THE HOUSE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1022, HB 1026, HB 1030, HB 1037, HB 1193, HB 1295,
HB 1629

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1003, HB 1005, HB 1020

ROY GILBREATH, Chief Clerk

MOTIONS

SEN. MAIXNER MOVED that the absent Senators be excused, which motion prevailed.

SEN. MAIXNER MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Ninth order of business, and at the conclusion of the Ninth order of business, be on the Thirteenth order of business, and at the conclusion of the Thirteenth order of business, the

Senate adjourn and convene at 1:00 p.m., Wednesday, February 25, 1987, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Nalewaja and Rep. D. Olsen introduced:

SCR 4059: A concurrent resolution directing the Legislative Council to study the management and administration of the State Department of Health, particularly, the functions and duties of the State Health Council and the Division of Program and Project Review.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

Sen. Nething introduced:

SCR 4060: A concurrent resolution directing the Legislative Council to study the securities laws of North Dakota, the need for regulation of the various aspects of the securities business, and the desirability of revising the state's securities laws to foster legitimate capital formation in the state.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Sen. Maixner introduced:

SCR 4061: A concurrent resolution directing the Legislative Council to study remedial action on two inactive uranium processing facilities in North Dakota.

Was read the first time and referred to the Committee on Natural Resources.

Sens. Stromme, Thane and Rep. Kingsbury introduced:

SCR 4058: A concurrent resolution directing the Legislative Council to study alternative methods available for establishing a capital construction trust fund for the state.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF HOUSE BILLS

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

HB 1023: A BILL for an Act making an appropriation for defraying the administrative costs of the public employees retirement system of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

HB 1024: A BILL for an Act making an appropriation for defraying the administrative costs of the teachers' fund for retirement of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

HB 1033: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the creation of a human services board; to amend and reenact sections 50-06-01, 50-06-01.1, 50-06-01.3, 50-06-01.4, and 50-06-05.1 of the North Dakota Century Code, relating to the authority of the human services board and the structure of the department of human services.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1267: A BILL for an Act to amend and reenact subdivision d of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to allowable lengths of certain motor vehicles.

Was read the first time and referred to the Committee on Transportation.

HB 1329: A BILL for an Act to amend and reenact section 26.1-36-07 of the North Dakota Century Code, relating to required group health insurance coverage for adopted children.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1331: A BILL for an Act to provide for the time for compliance by counties and cities with laws enacted by the legislative assembly which fiscally affect counties and cities.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1426: A BILL for an Act to amend and reenact sections 52-09-08 and 57-15-28.1 of the North Dakota Century Code, relating to mill levy limitations for counties participating in the old age and survivors' insurance program and other related programs.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1449: A BILL for an Act to provide authority for the creation and operation of city job development authorities; to create and enact a new subsection to section 57-15-10 of the North Dakota Century Code, relating to a city tax levy for operation of a city job development authority; and to amend and reenact subsection 29 of section 57-15-06.7 of the North Dakota Century Code, relating to county tax levies for support of job development authorities.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1459: A BILL for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of members of county social service boards.
Was read the first time and referred to the Committee on Political Subdivisions.

HB 1483: A BILL for an Act to establish a nongame wildlife fund and provide for uses of the fund; to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an optional contribution to the nongame wildlife fund to be included on North Dakota income tax returns; and to provide an effective date.
Was read the first time and referred to the Committee on Finance and Taxation.

HB 1486: A BILL for an Act to create and enact three new sections to chapter 2-05 of the North Dakota Century Code, relating to aircraft registration; and to amend and reenact section 2-05-11 of the North Dakota Century Code, relating to aircraft registration fees.
Was read the first time and referred to the Committee on Transportation.

HB 1501: A BILL for an Act to create and enact a new section to chapter 20.1-12 of the North Dakota Century Code, relating to the harvesting of game birds on private shooting preserves; and to amend and reenact sections 20.1-12-02, 20.1-12-03, 20.1-12-05, and 20.1-12-07 of the North Dakota Century Code, relating to private shooting preserves.
Was read the first time and referred to the Committee on Natural Resources.

HB 1575: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to reimbursement for expenses for members of the legislative assembly; and to declare an emergency.
Was read the first time and referred to the Committee on State and Federal Government.

HB 1576: A BILL for an Act to amend and reenact section 50-06.2-05 of the North Dakota Century Code, relating to the authority of the board of county commissioners to levy a tax for comprehensive human services programs.
Was read the first time and referred to the Committee on Political Subdivisions.

HB 1578: A BILL for an Act to create and enact six new sections to chapter 15-62.2 of the North Dakota Century Code, relating to the establishment of a North Dakota merit scholarship program; and to amend and reenact sections 15-62.2-01, 15-62.2-02, and 15-62.2-04 of the North Dakota Century Code, relating to administration of the student financial assistance program and merit scholarship program.
Was read the first time and referred to the Committee on Education.

HB 1606: A BILL for an Act to amend and reenact section 27-20-16 of the North Dakota Century Code, relating to the detention of delinquent, unruly, and deprived children.

Was read the first time and referred to the Committee on Judiciary.

HB 1607: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-08 of the North Dakota Century Code, relating to hearing prior to a restitution or reparation order.

Was read the first time and referred to the Committee on Judiciary.

HB 1609: A BILL for an Act to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to complimentary fishing licenses.

Was read the first time and referred to the Committee on Natural Resources.

HB 1626: A BILL for an Act to amend and reenact sections 30.1-14-01.1 and 30.1-14-05 and subsection 1 of section 30.1-14-07 of the North Dakota Century Code, relating to informal probate proceedings.

Was read the first time and referred to the Committee on Judiciary.

HB 1638: A BILL for an Act to create and enact two new subsections to section 19-03.1-23 of the North Dakota Century Code, relating to penalties for violation of the Uniform Controlled Substances Act.

Was read the first time and referred to the Committee on Judiciary.

HB 1648: A BILL for an Act to amend and reenact subsection 2 of section 11-10.1-01 of the North Dakota Century Code, relating to the qualifications of the county director of tax equalization.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1661: A BILL for an Act relating to definitions of wiretapping and eavesdropping, ex parte orders for wiretapping and eavesdropping by law enforcement officers, orders directing others to furnish assistance in wiretapping and eavesdropping, and reports to the attorney general; and to provide a penalty.

Was read the first time and referred to the Committee on Judiciary.

COMMUNICATION

Doctor of the Day Schedule

February 25: Gregory L. Culver, M.D., Minot
Family Practice
February 26: Fredrick Mitzel, M.D., Minot
Family Practice
February 27: Fredrick Mitzel, M.D., Minot
Family Practice

The Senate stood adjourned pursuant to Senator Maixner's motion.

PERRY GROTBORG, Secretary